

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

ARTHUR EARL THOMPSON, III, #509117 §

VS. § CIVIL ACTION NO. 6:12cv827

JOHN VILLARREAL, ET AL. §

ORDER OF DISMISSAL

Plaintiff Arthur Earl Thompson, III, an inmate confined in the Texas prison system, filed the above-styled and numbered civil rights lawsuit complaining about the revocation of his parole. The complaint was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation concluding that the civil rights lawsuit was barred by *Heck v. Humphrey*, 512 U.S. 477 (1994). *See also Jackson v. Vannoy*, 49 F.3d 175, 177 (5th Cir. 1995) (applying *Heck* to parole revocation proceedings). The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Plaintiff, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections by Plaintiff are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the Report and Recommendation (docket entry #8) is **ADOPTED**. It is further


ORDERED that the complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1). It is further

ORDERED that the Plaintiff's claims are **DISMISSED** with prejudice to their being asserted again until the *Heck* conditions are met. It is finally

ORDERED that all motions not previously ruled on are **DENIED**.

It is **SO ORDERED**.

SIGNED this 7th day of January, 2013.

A handwritten signature in black ink, reading "Michael H. Schneider", is written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE